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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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**ANIMAL LEGAL DEFENSE FUND,** )  
**PEOPLE FOR THE ETHICAL** )  
**TREATMENT OF ANIMALS,** )  
**and AMY MEYER** )  
*Plaintiffs,* )

v. )

**GARY R. HERBERT,** in his official )  
capacity as Governor of Utah; )  
**SEAN D. REYES,** in his official )  
capacity as Attorney General of Utah, )  
*Defendants.* )

**MOTION OF ERWIN CHERMERINSKY  
FOR LEAVE TO FILE BRIEF AS  
AMICUS CURIAE**

Case No. 2:13-cv-00679-RJS  
Judge: Robert J. Shelby

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Erwin Chemerinsky, by and through his undersigned counsel, hereby requests leave to file the brief attached hereto as Exhibit A, as amicus curiae in support of Plaintiffs' Motion for Summary Judgment. Counsel for both the plaintiffs and the defendant have indicated that they consent to this request.

Dean Chemerinsky files this amicus brief to assist the Court with two questions arising from this constitutional challenge to the Ag Gag law (Utah Code Ann. § 76-6-112). *First*, what is the status under the First Amendment of misrepresentations used to facilitate undercover investigations, and what level of scrutiny applies to attempts to restrict them? *Second*, what is the relationship between the speech and equal-protection principles implicated in this case?

Dean Chemerinsky is the founding Dean and Distinguished Professor of Law, and the Raymond Pryke Professor of First Amendment Law, at the University of California, Irvine School of Law. He previously taught at Duke Law School for four years and at the University of Southern California for 21 years. Dean Chemerinsky is a nationally prominent expert on constitutional law and civil liberties and is the author of eight books—including his treatise *Constitutional Law: Principles and Policies* and the casebook *Constitutional Law*—and more than 200 articles in top law reviews. In January 2014, *National Jurist* magazine named Dean Chemerinsky the most influential person in legal education in the United States.

Dated this 17<sup>th</sup> day of June, 2016

/s/ Erik Strindberg  
ERIK STRINDBERG)  
DEEPAK GUPTA (*pro hac vice admission pending*)

*Counsel for Prospective Amicus Curiae*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 17, 2016, I electronically filed the foregoing motion through this Court's CM/ECF system. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Erik Strindberg